

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

THE UNITED STATES OF AMERICA *et al.*  
*ex rel.* JULIE LONG,

Plaintiffs,

v.

JANSSEN BIOTECH, INC.,

Defendant.

Civil Action No. 16-CV-12182-FDS

**PLAINTIFF'S MOTION TO COMPEL THE PRODUCTION OF  
DOCUMENTS AND A COMPLETE AND PROPER PRIVILEGE LOG**

Pursuant to Federal Rule of Civil Procedure 37(a) and Local Rule 37.1, plaintiff-relator Julie Long respectfully moves for an order compelling defendant Janssen Biotech, Inc., to produce the following discovery within 10 days:

- A. A complete privilege log identifying all documents withheld under a claim of privilege and providing sufficient detail to enable Plaintiff to assess the propriety of the privilege asserted;
- B. Requested documents that are in the possession of current and former employees known to have discoverable information;
- C. Documents responsive to Requests for Production 8 and 21-27 located in its corporate files and possessed by current and former employees known to have discoverable information;
- D. All documents responsive to Requests for Production 4, 6, 7, 16, 31 and 34; and
- E. All relevant documents in Karen Trahan's and Plaintiff's electronic files that pre-date October 28, 2006.

For the reasons more fully set forth in the accompanying Memorandum of Law in support of this motion, and the exhibits thereto, Plaintiff requests that this motion be granted.

## REQUEST FOR ORAL ARGUMENT

Plaintiff requests oral argument on this motion.

Dated: December 3, 2021

Respectfully submitted,

/s/ Theodore J. Leopold

Theodore J. Leopold (admitted pro hac vice)

Leslie M. Kroeger (admitted pro hac vice)

Diana L. Martin (admitted pro hac vice)

Poorad Razavi (admitted pro hac vice)

COHEN MILSTEIN SELLERS & TOLL PLLC

11780 U.S. Highway One, Suite N500

Palm Beach Gardens, FL 33408

(561) 515-1400

tleopold@cohenmilstein.com

lkroeger@cohenmilstein.com

dmartin@cohenmilstein.com

prazavi@cohenmilstein.com

Casey M. Preston (admitted pro hac vice)

Gary L. Azorsky (admitted pro hac vice)

Jeanne A. Markey (admitted pro hac vice)

COHEN MILSTEIN SELLERS & TOLL PLLC

1717 Arch Street, Suite 3610

Philadelphia, PA 19103

(267) 479-5700

cpreston@cohenmilstein.com

gazorsky@cohenmilstein.com

jmarkey@cohenmilstein.com

Jonathan Shapiro (BBO No. 454220)

SHAPIRO & TEITELBAUM LLP

90 Canal Street, Suite 120

Boston, MA 02116

(617) 742-5800

jshapiro@jsmtlegal.com

***Counsel for Plaintiff Relator Julie Long***

**LOCAL RULES 7.1 AND 37.1 CERTIFICATION**

In accordance with Local Rules 7.1(a)(2) and 37.1(a), counsel for plaintiff-relator Julie Long certify that they conferred with counsel for defendant Janssen Biotech, Inc., in a good faith effort to resolve or narrow the issues presented in this motion but were unable to do so.

/s/ Theodore J. Leopold  
Theodore J. Leopold (admitted pro hac vice)

**CERTIFICATE OF SERVICE**

I hereby certify on this 3<sup>rd</sup> day of December, 2021, that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Theodore J. Leopold  
Theodore J. Leopold (admitted pro hac vice)